



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

March 12, 2010

J. Marc Copeland, Executive Director
Virginia Board for Towing and Recovery Operators
c/o Virginia Department of Motor Vehicles
Post Office Box 27412
Richmond, Virginia 23269

Re: Authority to Amend the Regulations Governing the Practice of Towing and Recovery Operators to Reflect the Provisions of Chapter 806 of the 2009 Acts of the Virginia General Assembly

Dear Director Copeland:

I have reviewed the above-referenced amendments to the Regulations Governing the Practice of Towing and Recovery Operators to reflect the provisions of Chapter 806 of the 2009 Acts of the Virginia General Assembly, which amendments are exempt from the requirements of the Administrative Process Act, as they merely modify the existing regulations so that they conform to the new statutory provisions enacted by Chapter 806.

In my view, as counsel to the Board, the Virginia Board for Towing and Recovery Operators possesses the statutory authority to promulgate and also to amend regulations governing the practice of towing and recovery operators pursuant to Virginia Code § 46.2-2809.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

Jeffrey A. Spencer
Senior Assistant Attorney General

